

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

James C. Ori et al.

Group Art Unit: 3612

Serial No.: 09/941,386

Examiner H. Gutman

Filed: August 28, 2001

For: STRUCTURAL MEMBER FOR A VEHICLE FRAME ASSEMBLY

Attorney Docket No.: 705558US1

Request for  
RCE B  
#10  
2 June  
8/18/03

**AMENDMENT UNDER 37 C.F.R. § 1.111 and  
REQUEST for CONTINUED EXAMINATION UNDER 37 CFR §1.114**

Assistant Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

**CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8)**

Date of transmission: March 13, 2003. I hereby certify that this paper is being facsimile transmitted to Art Unit 3612 of the United States Patent and Trademark Office at fax number 703-305-3597 on the date indicated above.

Susan J. Sidwell  
NAME OF PERSON MAILING PAPER

Susan J. Sidwell  
SIGNATURE

Applicants hereby request continued examination of the above indicated application. The Commissioner is hereby authorized to charge the corresponding fee of \$750.00 to Deposit Account No. 03-1800. Applicants believe there are no other fees due in connection with the filing of this paper. However, the Commissioner is authorized to charge any deficiencies to Deposit Account No. 03-1800.

This is responsive to the Final Office Action mailed on December 20, 2002, paper no. 8. Please amend the above-identified application as follows:

**IN THE DRAWINGS:**

Please substitute the attached formal drawings, five (5) sheets, for those originally filed.

The amended figures were approved in the office action mailed December 20, 2002.

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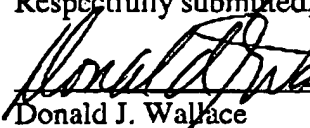
Serial No. 09/941,386

705558US1

known prior art, based on the rejection of claims 2 and 8 as being anticipated by Vlahovic, is moot. For the same reasons stated above with respect to claims 2 and 8, claims 5, 9 and 12 are patentable over Vlahovic in view of the well known prior art. Withdrawal of the rejection of claims 5, 9 and 12, and reexamination and reconsideration of the claims, is courteously solicited.

### Conclusion

From the foregoing, Applicants submit that the claims remaining in the application are allowable over the references of record, and reconsideration of the claims and passage of the application to issue are courteously solicited. If a telephone conference would expedite allowance or resolve any further questions, such a conference with the undersigned is invited at the convenience of the Examiner.

Respectfully submitted,  
By:   
Donald J. Wallace  
Reg. No. 43,977  
Attorney for Applicant

Dated: 3/11/03  
CIMS 483-02-19

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# Fax – Expedited Procedure

**To:** Examiner Hilary L. Gutman

**From:** Donald J. Wallace

**Fax:**

(703) 305-3597

**Pages:**

16

**Phone:** (703) 305-0496

**Date:** March 13, 2003

**Group Art Unit:** 3612

**Re:** Application No. 09/941,386 ✓

Please see the attached re-transmission of an Amendment and RCE, originally filed by facsimile transmission March 13, 2003 in response to the Final Office Action mailed December 20, 2002.

*I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 305-3597) on June 20, 2003..*

*Donald J. Wallace*

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# OFFICIAL

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Examiner: H. Gutman

Serial No.: 09/941,386

Art Unit: 3612

Filed: August 28, 2001

Title: STRUCTURAL MEMBER FOR A VEHICLE FRAME ASSEMBLY

Atty. Dckt.: 705558US1

**RE-TRANSMISSION OF AMENDMENT AND REQUEST FOR CONTINUED  
EXAMINATION**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

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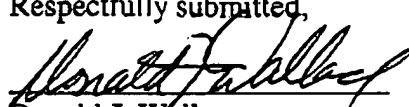
  
SIGNATURE

It has come to Applicants' attention that their Amendment and Request for Continued Examination, transmitted March 13, 2003, was not entered in the USPTO file, and is presumed lost. For the purpose of having this response properly entered, true copies of the timely filed response and the confirmation of facsimile transmission dated March 13, 2003, are attached hereto.

It is respectfully requested that the attached response be properly entered into the record and that continued examination of the application proceed as requested in our transmittal of March 13, 2003. In light of Applicants' timely response to the Final Office Action, within 3 months of its mailing, it is believed that no other fees are due in connection with this paper.

Respectfully submitted,

By:

  
Donald J. Wallace

Reg. No. 43,977

Attorney for Applicants

Dated: 6-20-2003

CIMS 483-02-19

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\*\* TX CONFIRMATION REPORT \*\*

AS OF MAR 13 '03 09:46 PAGE.01

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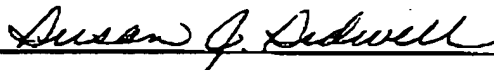
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Susan J. Sidwell



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